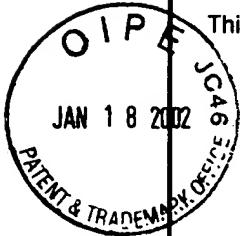


## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

As the below named inventor(s), I/we declare that:



This declaration is directed to:

- The attached application, or  
 Application No. 09/896,811, filed on June 29, 2001,  
 as amended on \_\_\_\_\_ (if applicable);

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I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

### FULL NAME OF INVENTOR(S)

Inventor one Thomas D. Madden Date: October 25<sup>th</sup> 2001

Signature: T. D. Madden Citizen of: Canada

Inventor two Sean C. Sample Date: Oct. 25, 2001

Signature: S Sample Citizen of: Canada

Inventor three \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Inventor four \_\_\_\_\_ Date: \_\_\_\_\_

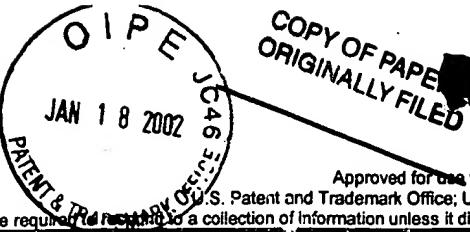
Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SF 1242080 v1

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PTO/SB/81 (02-01)

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**POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT**

Application Number	09/896,811
Filing Date	June 29, 2001
First Named Inventor	Thomas D. Madden
Title	LIPOSOMAL CAMPTOTHECINS AND USES THEREOF
Group Art Unit	1614
Examiner Name	Unassigned
Attorney Docket Number	16303-008020

I hereby appoint:

Practitioners at Customer Number

OR

Practitioner(s) named below:

20350

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Number Bar Code  
Label here

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

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Individual Name

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Country

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Fax

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

**SIGNATURE of Applicant or Assignee of Record**

Name

Signature

Date

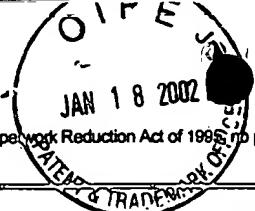
Nov. 1 01

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below\*.

\*Total of 1 form is submitted.

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SF 1269822 v1

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Thomas D. Madden and Sean C. Semple

Application No./Patent No.: 09/896,811 Filed/Issue Date: June 29, 2001

Entitled: LIPOSOMAL CAMPTOTHECINS AND USES THEREOF

Inex Pharmaceuticals Corporation, a corporation

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

2001-01-01

Date

Signature

PATRICK R. O'NEIL

Typed or printed name

SPECIAL VICE-PRESIDENT, REGISTRATION

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments or the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DC NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

# COPY

Attorney Docket No.: 16303-008020

## ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Thomas D. Madden, of 2714 West 31st Avenue, Vancouver, B.C., Canada V6L 2A1, Canada; Sean C. Semple, of 301-2880 Oak Street, Vancouver, B.C., Canada V6H 2K5, Canada; hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: LIPOSOMAL CAMPTOTHECINS AND USES THEREOF

Filing Date: June 29, 2001

Application No.: 09/896,811; and

WHEREAS, Inex Pharmaceuticals Corporation, located at 100-8900 Glenlyon Parkway, Glenlyon Business Park, Burnaby, B.C., Canada V5J 5J8, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8<sup>th</sup> Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

# COPY

Assignment  
Attorney Docket No.: 16303-008020  
Page 2

COPY

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: October 25<sup>th</sup> 01

T. D. Madden  
Thomas D. Madden

SIGNATURE WITNESSED BY:

(1) Dated: 25.10.01

B. H. [Signature]

(2) Dated: 25.10.01

Maia Tiffen

Dated: Oct. 25, 2001

S. C. Semple  
Sean C. Semple

SIGNATURE WITNESSED BY:

(1) Dated: Oct 25 2001

L. H. [Signature]

(2) Dated: Oct 25, 2001

S. H. [Signature]

SF 1269819 v1

COPY